

THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **MONDAY June 28, 2010**, following Public Hearings and the meetings of any scheduled Committees at **6:00 p.m.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCK'S CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

**Public Hearings: Bills Numbered: 10-05, 10-06, 10-07, 10-08,
and 10-09**

May 24, 2010

Regular Council Meeting

May 24, 2010

PUBLIC DISCUSSION - Requests to be heard must be made prior to call to Order and comments must be limited to Agenda items only.

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

PRESENTATION: MS. JUDITH BURKE, FOUNDER, RE: SUMPTER FREE HEALTH CLINIC

CHAIRMAN OF COUNTY COUNCIL

THIRD READING:

1. Bill No. 10-11, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Mark Wyson for multiple owners in Cainhoy Plaza "HPR", located at 2126 Cainhoy Road, Huger, TMS #248-05-01-001 through 248-05-01-028 and all common P.O.A areas (3.0 +/- acres), from RNC, Rural & Neighborhood Commercial District to LI, Light Industrial District. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 10-12**, an **ordinance** providing for the adoption of fiscal year 2010-2011 **(beginning July 1, 2010 and ending June 30, 2011) budgets** for the Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by Berkeley County Water and Sanitation with no increase in rates for fees.

[Recommended by Committee on Water and Sanitation]

3. **Bill No. 10-13**, an **ordinance** to amend and clarify certain sections of Ordinance No. 01-8-35, adopted August 27, 2001, Zoning and Development Standards Ordinance, "Berkeley County Zoning Ordinance" and amending Ordinances No. 02-08-33, 02-12-58, 04-11-68, 05-03-08, 05-08-58, 06-09-63, 06-12-92, 07-07-43, and 08-10-63 **in regard to the proposed overlay district for Pimlico Subdivision with map.**

[Recommended by Committee on Land Use]

4. **Bill No. 10-14**, an **ordinance** to **amend Ordinance No. 09-07-36**, adopted July 27, 2009, to provide for **Supplemental Appropriations** and allocations thereof within the **2009-2010 Budget** for Berkeley County; and other matters relating thereto.

[Recommended by Committee on Finance]

5. **Bill No. 10-15**, an **ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

6. **Bill No. 10-16**, an **ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

7. **Bill No. 10-17**, an **ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

8. **Bill No. 10-18**, an **ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

9. Bill No. 10-19, an ordinance providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

[Recommended by Committee on Finance]

SECOND READING:

1. Bill No. 10-21, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bobby Strickland**, 2575 South Live Oak Drive, Moncks Corner, **TMS #196-05-00-069 and 059** (1.95 +/- acres), **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

2. Bill No. 10-22, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **America's Home Place, Inc.**, for **Marion McClennon**, 1206 Seaboard Rd., St. Stephen, **TMS #047-00-02-042** (1.0 acre), **from GC, General Commercial District to F-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

3. Bill No. 10-23, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Connie Shuler**, 1545 Old Highway 6, Cross, portion of **TMS #041-00-05-066** (1.5 acres), **from F-1, Agricultural District to RNC, Rural & Neighborhood Commercial District**. Council District No. 7.

[Recommended by Committee on Land Use]

FIRST READING:

1. Bill No. 10-24, an Ordinance to **amend and clarify** certain sections of **Ordinance No. 01-8-35**, adopted August 27, 2001, Zoning and Development Standards Ordinance "**Berkeley County Zoning Ordinance**" and amending Ordinances Nos. 02-08-33, 02-12-58, 04-11-68, 05-03-08, 05-08-58, 06-09-63, 06-12-92, and 07-07-43, **in regard to the regulation of Institutional Residential Land Uses and changes to the permitted Use Table**.

[Recommended by Committee on Land Use]

2. Bill No. 10-25, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Maxine Winningham**, 1968 Cypress Campground Road, Ridgeville, **TMS #177-00-00-165**, (1.50 +/- acres), **from GC, General Commercial District to PDMU, Planned Development Mixed Use District**. Council District No. 7.

[Recommended by Committee on Land Use]

3. **Bill No. 10-26**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Robert & Lori Hammond**, for Hammond Family, LLC, located off Cypress Gardens Road behind the par 3 golf course, Moncks Corner, **TMS #210-00-00-198** (15.27 acres), **from HI, Heavy Industrial District and R-1, Single Family Residential District, to R-2R(F), Mobile Home Rural Farm Residential District.** Council District No. 6.

[Recommended by Committee on Land Use]

4. **Bill No. 10-27**, an **ordinance** calling for a **referendum authorizing South Carolina Department of Revenue to issue temporary permits** to allow for the possession, sale and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments authorized to be licensed for consumption-on-premises sales and to allow for the sale of beer and wine for off-premises consumption without regard to the days or hours of sale.

[Recommended by Committee on Community Services]

5. **Bill No. 10-28**, an **ordinance** amending **General Bond Ordinance No. 96-7-33** which authorized and provided for the issuance of Solid Waste System Revenue Bonds of Berkeley County, South Carolina; expanding the definition of system therein; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

6. **Bill No. 10-29**, an **ordinance** amending **General Bond Ordinance No. 91-4-10** which authorized and provided for the issuance of Water and Sewer System Revenue Bonds of Berkeley County and **General Bond Ordinance No. 03-03-12** which authorized and provided for the issuance of Water and Sewer System Revenue Bonds of Berkeley County, South Carolina; expanding the definition of system therein; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

RESOLUTIONS:

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2009-2010 Berkeley County Budget** for County purposes other than as specified in said budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** authorizing **continuing appropriations** for **FY 2010-2011.**

[Recommended by Committee on Finance]

3. **RESOLUTION** authorizing the County Supervisor to negotiate & execute a **lease agreement with Parkway Investments, LLC**, for property located at 102 Sangaree Park Court, Suite 1, Summerville, 29483.

[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

1. **Committee on Finance.**
Council Member, Mr. Jack H. Schurlknight, Chairman.
2. **Committee on Land Use.**
Council Member, Mr. Phillip Farley, Chairman.
3. **Committee on Public Works and Purchasing.**
Council Member, Mr. Robert O. Call, Jr., Chairman.
 - a. Sole Source Purchase All In One 2.0 GPS (Sheriff's Dept.).
 - b. Contract Amendment for LBWTP Phase III (W&S).
 - c. Pump Station 005 Valve Replacement (W&S).
4. **Committee on Justice and Public Safety.**
Council Member, Mr. Steve C. Davis, Chairman.
 - a. Approval of 2010 Edward Byrne Memorial Justice Assistance Grant (JAG), \$64,219.00 to be shared with Public Defender's office (No additional funds required).
5. **Committee on Water and Sanitation.**
Council Member, Mr. Timothy J. Callanan, Chairman.
6. **Committee on Planning and Development.**
Council Member, Mrs. Cathy S. Davis, Chairman.
7. **Committee on Community Services.**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
 - a. Approval for Library System to submit grant proposal in the amount of \$20,000.00 to bring together local history.
8. **Committee on Human Services.**
Council Member, Mr. Dennis Fish, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

AERONAUTICS COMMISSION

BCD RURAL TRANSPORTATION MANAGEMENT ASSOCIATION

CHARLESTON AREA TRANSPORTATION STUDY

CHARLESTON REGIONAL DEVELOPMENT ALLIANCE

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

LIBRARY BOARD

MENTAL HEALTH BOARD

SANGAREE SPECIAL TAX DISTRICT

SPECIAL FIRE TAX DISTRICT ADVISORY COMMISSION
TALL PINES SPECIAL TAX DISTRICT ADVISORY COMMISSION
TAX ASSESSMENT REVIEW BOARD
ZONING APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

THE JULY 2010, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY JULY 26, 2010, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND OTHER COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.

June 23, 2010
S/Barbara B. Austin, CCC
Clerk of County Council